

## **Saturday Facilitated Session Descriptions**

### **Beginner Track**

#### **Top Tips for Drafting (& Administering Wills)** *Amy McCullough, Esq.*

This session will feature discussion of some of the more common pitfalls attorneys encounter when preparing wills. Emphasis will be placed on obtaining optimal results for clients through careful attention throughout the drafting stages of a will in order to minimize problems with administration.

#### **Guardianship: Nuts & Bolts** *Valerie Geiger, Esq.*

This session will focus on the basics of evaluating if a guardianship is appropriate, initiating a petition for guardianship and what the final Order should include. We will also discuss practice tips to hopefully facilitate the process.

**Beginner's Guide to Virginia Medicaid** *Elizabeth McMaster, Esq.* Learn the basics, goals and tactics for the client consult.

#### **Basics of Probate & Estate Administration** *Cary Cucinelli, Esq.*

This facilitated discussion will cover the basics of probate and estate administration in Virginia and provide participants the opportunity to ask questions, share practice tips, and learn from your colleagues!

### **Advanced Track**

#### **ABLE Act** *Ann Green, Esq. & Julianne Dalton, Esq.*

This session will cover The ABLE Act. What you need to know about it, and how it may help your clients. When ABLE accounts should be available and their benefits and limitations.

#### **Advanced Medicaid Planning Strategies** *Andrew Hook, CELA*

All aspects of Medicaid planning will be reviewed. Things to consider include the client's age, marital status, and assets. The primary focus will be on the available strategies for asset protection.

#### **Challenging Inappropriate Hospital Sponsored Guardianship Petitions & Involuntary Notice of**

**Discharge from Hospitals** *Veronica Williams, Esq.* Hospitals, nursing homes, and government agencies are routinely seeking to impose guardianships for patients and residents, a pattern that will surely continue and increase in the future. These efforts present particular issues and complications, for the lawyers, for the parties, for the wards, for their families, and for the guardians and conservators who are appointed.

#### **Irrevocable Trusts: Non-judicial Settlements, Reformation & Termination Under the UTC**

*Paul Barnett, Esq.* The Virginia Uniform Trust Code provides a comprehensive statutory scheme for the creation, administration, modification and termination of Virginia trusts. The Virginia Uniform Trust Code sets forth ways for a court to modify or terminate an irrevocable trust as well as by the trustee or by consent of all interested parties even without the court's approval.

**Ethical Issues When Acting as a Fiduciary** *Ken Labowitz, Esq.* The management of other people's money through the appointment of substitute decision makers will inevitably generate ethical issues. Attorneys who are involved in the preparation and implementation of powers of attorney and guardianships and conservatorships must be aware of the potentials for conflict and the need for safeguards and disclosures of risks associated with available alternatives.

**Interstate Transfer of Guardianship** *James McConville, Esq.* The topic is jurisdiction in the transfer of an incapacitated person from one state to another state. Usual circumstance is aged parent lives in one state, and family members want to move parent to this state to care for them. The discussion will be how the states interact, and problems that can present themselves.

**Involuntary Nursing Home Discharges** *Kathy Pryor, Esq.* An adult daughter calls you in a panic because the nursing home where her elderly mother lives is threatening to discharge Mom to the daughter's home. What can be done to help her mother? In this session, we will consider federal and state law protections for nursing home residents and available ways to challenge an involuntary nursing home discharge. Come with your own nursing home discharge 'war stories' as we discuss what works, what doesn't, and all the gray areas in between.

**Best Practices Before the Commissioner of Accounts** *Kimberly Pinchbeck, Esq. & Elizabeth Wildhack, Esq.* - Stumped by allowances in insolvent estates? Confused by collateral heirs? Bring your questions about working with the Commissioner of Accounts office to this session. Leading the session are VAELA members Kimberly Pinchbeck and Elizabeth Wildhack, also known as the Commissioner of Accounts for the City of Richmond and Assistant Commissioner of Accounts in Arlington County, respectively.

**Real Estate for Fiduciaries** *Ross Hart, Esq.* Overview and free-wheeling discussion of Real Estate sales by a conservator for the owner. Included will be the wide variation of procedures in Virginia and advantages/disadvantages of each, Medicaid impact, and when - and how - to 'walk away' from the property.

**Special Needs Trust Distributions** *Ron Feinman, Esq.* A review of allowable, questionable, prohibited distributions, and other problem areas/solutions.

### **VA Track**

**How Not to "Screw Up" a VA Claim** *Angela Manz, Esq.* How to make sure your VA claim is actually approved.

**How Does a VA Claim Fit Within a Medicaid World** *Chris McCarthy, CELA* VA pension benefits administered by the Department of Veteran Affairs are governed by rules that are very different from Medicaid. Topics presented will include: 1) an overview of potential VA benefits available to our clients; 2) integration of VA benefits into your elder law practice; 3) regulatory changes proposed by the VA and how they will impact VA benefits; and 4) key differences between VA Disability Pension and Medicaid.

**VA Advanced Topics** *Bart Barton, Esq.* The world of veteran's benefits is a complex maze of rules, regulations, statutes and court decisions. As confusing as it seems, there are great solutions for many of the issues that elder law attorneys face in assisting their clients who are veterans or their surviving spouses. An understanding of some of the more common advanced topics within VA benefits provides the practitioner with tools to meet their client's needs.

### **Practice Management Track**

**"So you hung out a shingle, now what?"** *Sheri Abrams, Esq. & Rhona Levine, Esq.* The realities of starting your own law firm starting to set in? We will discuss, in a roundtable format, what works and what does not work for the new solo attorney. Topics will include: technology needs and marketing ideas."

**Human Resources/Tips for a Successful Partnership** *Carolyn White, Esq.* This presentation draws from over twenty years of involvement in running a small law firm. We will discuss the routines and practices that tend to result in a more harmonious day with your partners, and those which tend to cause disharmony, both from a technology perspective and from a human perspective.

**How to Run a Successful Litigation Practice** *Jean Galloway Ball, CELA* Discuss practice management ideas for a litigation practice.

